<u>REMARKS</u>

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-3, 5-7, 10-11, 13-16, 18-21, 23, 26, and 29-34 are currently pending, Claims 1, 2, 14, 15, 21, and 29 having been amended. The changes and additions to the claims do not add new matter and are supported by the originally filed specification, for example, on page 24, lines 8-11; page 30, line 25 to page 31, line 11; page 34, lines 8-16; and Figs. 6 and 12.

In the outstanding Office Action, Claims 1, 7, 11, 14, 20, and 29 were rejected under 35 U.S.C. §102(b) as being anticipated by <u>Kato</u> (U.S. Patent No. 6,141,111); Claims 2-3, 5-6, 13, 15-16, 18-19, 21, and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over <u>Kato</u> in view of <u>Whitmarsh</u> (U.S. Pub. No. 2002/0101608); Claims 10, 23, and 30-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over <u>Kato</u> in view of <u>Shima</u> (JP 2001-209503); and Claim 33 was rejected under 35 U.S.C. § 103(a) as being unpatentable over <u>Kato</u> in view of <u>Matsueda et al.</u> (U.S. Pub. No. 2001/0040692, hereinafter "<u>Matsueda</u>").

With respect to the rejection of Claim 1 under 35 U.S.C. §103(a), Applicants respectfully submit that the present amendment to Claim 1 overcomes this ground of rejection. Amended Claim 1 recites, *inter alia*,

> an information providing part configured to send, to a client terminal, screen data for inputting a print request;
> a storage part configured to store information of functions of a plurality of image forming apparatuses, including the image forming apparatus and other image forming apparatuses connected to the image forming apparatus via a network, and information of destination addresses of the image forming apparatuses;
> a printing part configured to perform print processing when receiving the print request and print data from the client terminal;
> a determination part configured to determine whether a designation of a function is included in the print request, and when the designation of a function is included

in the print request, to determine whether any of the
plurality of image forming apparatuses, including the image
forming apparatus, has the function included in the print
request based on the information of functions stored in the
storage part, and to extract any of the plurality of image
forming apparatus that have the function included in the
print request; and

a print request part configured to request the
printing part of the image forming apparatus to print the
print data when the designation of a function is included in
the print request and when the image forming apparatus is
included as an extracted image forming apparatus that has
the function included in the print request based on the
determination by the determination part, to request one or
more of the other image forming apparatuses to print the
print data when the designation of a function is included in
the print request and when the one or more of the other
image forming apparatuses are included as extracted image
forming apparatus that have the function included in the
print request based on the determination by the
determination part, and to request the printing part of at
least the image forming apparatus to print the print data
when the designation of a function is not included in the
print request.

Kato is directed to an image printer 26 (see Fig. 1) that is connected to a digital still

camera 11 and it is also connected to a plurality of image printers 27-29 and an image display

24. The Examined had previously cited to Fig. 9 and col. 8, lines 47-55 as disclosing the

features of the "determination part," and to col. 8, line 56 to col. 9, line 25 as disclosing the

features of the "print request part." (See Office Action, at pages 3-4).

Fig. 9 of Kato shows a flowchart for an extra-copy printing sequence. Fig. 9 shows

that when performing the extra-copy printing, a desired subject is first taken by the digital

still camera 11 (STEP S20) and the obtained image data are transferred to the image printer

26. Then, the image printer 26 produces and outputs the extra-copy designation sheet 300

based on this transferred information (STEP S22). Then, operator enters a user ID number,

the extra-copy check, the number of required copies, image quality and image size (STEP

S23) and inputs this extra-copy designation sheet 300 to the image printer 26 again (STEP

S24). When this extra-copy designation sheet 300 is input to the image printer 26, the CPU 1

of the image printer 26 recognizes the portions of the extra-copy designation sheet 300, that is, the user ID input portion 301, the image quality designation portion 304, the image size designation portion 305 and the extra-copy check portion 303 (STEP S25) and once store the recognition result in the extra-copy designation sheet recognition result data portion 58 (STEP S26). Based on the data thus stored in the image quality designation portion 304 and the image size designation portion, the image printers 27 through 29 which are optimum for output are decided (STEP S27) and image data are transmitted to the selected image printer 26 via the network 16 (STEP S28). Then, upon receipt of the selected image data, the image printers 27 through 29 print and output the image data (STEP S29), and a series of the extra-copy printing operations is completed. (See col. 9, lines 27-55).

Figs. 10 and 11 of Kato show an example of a method to decide optimum image printers 27 through 29, in which parameters of the printers are normalized and their values are calculated by evaluation functions and then, a printer is decided referring to the evaluation functional values of the image printers 27 through 29 as shown in FIG. 10. (See col. 8, line 56 to col. 9, line 25).

Thus, Kato describes that an image printer 26 receives an extra copy designation sheet from a user that has an image quality and an image size indicated thereon, and based on this indication selects *other image printers*, such as image printers 27 through 29 for outputting the image.

However, Kato fails to disclose or suggest that the image printer 26 selects *itself* as a printer to print the image when it has a function included in a print request (such as the inputted extra-copy designation sheet 300) or that the image printer 26 selects itself as a printer to print the image when no specific function is designated in the print request.

Therefore, Applicants submit that Kato fails to explicitly disclose or suggest all of "a determination part configured to determine whether a designation of a function is included in

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the print request, and when the designation of a function is included in the print request, *to determine whether any of the plurality of image forming apparatuses, including the image forming apparatus, has the function included in the print request based on the information of functions stored in the storage part*, and to extract any of the plurality of image forming apparatus that have the function included in the print request; and a print request part configured *to request the printing part of the image forming apparatus to print the print data when the designation of a function is included in the print request and when the image forming apparatus is included as an extracted image forming apparatus that has the function included in the print request* based on the determination by the determination part, to request one or more of the other image forming apparatuses to print the print data when the designation of a function is included in the print request and when the one or more of the other image forming apparatuses are included as extracted image forming apparatus that have the function included in the print request based on the determination by the determination part, and *to request the printing part of at least the image forming apparatus to print the print data when the designation of a function is not included in the print request,*" as required by amended Claim 1.

Applicants emphasize that for anticipation, "**[t]he identical invention must be shown in as complete detail as is contained in the ... claim.**" See *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). (See also MPEP §2131).

Therefore, Applicants respectfully submit that amended Claim 1 (and all associated dependent claims) patentably distinguish over <u>Kato</u>.

<u>Whitmarsh</u>, <u>Shima</u>, and <u>Matsueda</u> have been considered but fail to remedy the deficiencies of <u>Kato</u> with regard to amended Claim 1. Therefore, Applicants respectfully submit that amended Claim 1 (and all associated dependent claims) patentably distinguishes over <u>Kato</u>, <u>Whitmarsh</u>, <u>Shima</u>, and <u>Matsueda</u>, either alone or in proper combination.

Amended independent Claims 14 and 29 recite features similar to those of amended

Claim 1 discussed above. Therefore, Applicants respectfully submit that amended Claims 14

and 29 (and all associated dependent claims) patentably distinguish over Kato, Whitmarsh,

Shima, and Matsueda, either alone or in proper combination.

Consequently, in light of the above discussion and in view of the present amendment,

the outstanding grounds for rejection are believed to have been overcome. The present

application is believed to be in condition for formal allowance. An early and favorable action

to that effect is respectfully requested. Furthermore, the examiner is kindly invited to contact

the Applicants' undersigned representative at the phone number below to resolve any
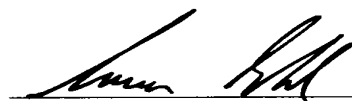
outstanding issues.

Respectfully submitted,

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